

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Applicant:	PREVOST, G.	Art Unit:	1623
Serial No.:	10/529,431	Examiner:	OLSON, Eric
Filed:	March 25, 2005		
Title:	APOPTOSIS AND TRAF-1 CLEAVAGE INDUCED IN EPSTEIN BARR VIRUS-POSITIVE NASOPHARYNGEAL CARCINOMA CELLS BY DOXORUBICIN COMBINED WITH A FARNESYL-TRANSFERASE INHIBITOR		

RECEIVED

AUG 28 2008

OFFICE OF PETITIONS**Mail Stop Petition**Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22313-1450**ADDITIONAL STATEMENTS ESTABLISHING UNINTENTIONAL DELAY
PURSUANT TO 37 C.F.R. § 1.137(b)**

Sir:

Applicants have recently become aware that the above-identified application has been abandoned for failure to timely file a response to a non-final Office Action mailed November 30 2007. This paper accompanies a Petition for Revival of an Application for Patent Abandoned Unintentionally (Form PTO/SB/64), the petition fee and a response to the Office Action.

Applicants declare that the abandonment was unintentional, and accordingly, pursuant to 37 CFR §1.137(b), Applicants request revival of the application and return of the application to pending status. The Commissioner is hereby authorized to charge the petition fee required under 37 CFR §1.137(b)(2), any additional fees required in connection with this petition, or to credit any overpayment, to PTO Deposit Account No. 50-0590.

REMARKS

Applicants petition herein for revival of the instant application for unintentional abandonment. Applicants did not receive the Office Action mailed November 30 2007.

On July 8, 2008, the Examiner telephoned Applicants' representative, Pamela C. Ball, to inquire as to Applicants' intent to reply to the Office Action mailed November 30, 2007. Applicants' representative informed the Examiner that the Office Action was not received by Applicants. The Examiner informed Applicants' representative that because the case was available on Public PAIR, Applicants were responsible for a timely reply. The Examiner indicated that a Notice of Abandonment would be mailed. Applicants note that the Examiner telephoned after the 6 month deadline expired.

The Notice of Abandonment prepared by the Examiner was mailed July 11, 2008. In the Notice of Abandonment, the Examiner records the substance of the interview as follows: "Applicant indicated that no reply has been sent to the most recent office action." Applicants respectfully point out that Applicants' representative clearly noted to the Examiner that no such office Action had been received and lack of receipt of the office Action was the sole reason that no reply had been submitted. Applicants have since retrieved the November 30, 2007 Office Action from Public PAIR and submit the necessary response.

Applicants earnestly request, on the basis of the facts set forth above, that the abandoned status of this application be removed, and that the application be revived and reinstated to pending status.

Date:

8/27/08

Biomeasure, Incorporated
27 Maple Street
Milford, MA 01757-3650
(508) 478-0144 Telephone
(508) 473-3531 Facsimile

Respectfully submitted,

Pamela C Ball

Pamela C. Ball
Agent for Applicant(s)
Reg. No. 53,963